

SUMMARY OF THE HISTORY OF WASHINGTON STATE'S OATHS¹

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A. OVERVIEW

Washington State did not have an official Oath of Attorney until 1909. This statutory Oath, which was later recodified as part of the State Bar Act, was amended from time to time but persisted largely intact until its repeal in 2023. A version of the Oath nearly identical to the 1921 statutory Oath, was adopted by the Supreme Court as part of the Rules for Admission to Practice Law in 1954. The rules-based Oath, like the statutory Oath, was amended on occasion but has persisted largely intact. The Oath of Attorney found in Admission and Practice Rule (APR) 5(g) is currently the version administered to applicants seeking admission to practice law in Washington as a preadmission requirement. The Supreme Court adopted an Oath for Limited Practice Officers in 1987 and an Oath for Limited License Legal Technicians in 2012.

B. ADDITIONAL DETAIL

Washington's Territorial Legislature first enacted a statute defining the duties of an attorney in 1862; much of the language was drawn from a then-influential New York state statutory initiative known as the 1848 Field Code. The Territorial Legislature outlined seven duties for lawyers, including supporting the constitution, maintaining respect for the court, and preserving client confidentiality. These statutory duties remained on the books through statehood and were later codified in Washington's Code of Civil Procedure.

In 1908, the American Bar Association (ABA) launched a model oath, known as the Oath of Admission to the Bar, at approximately the same time as it was adopting the first nationwide model code of ethics, known as the Canons of Ethics (which was approved at the ABA's 1908 Annual Meeting in Seattle). It appears that the ABA's model oath was based in general on the statutory "duties of an attorney" first enacted by Washington's Territorial Legislature. Very soon after the ABA's adoption of a model oath, Washington's legislature adopted an Oath of Attorney in 1909, also largely based on the statutory duties of an attorney. A 1921 revision added a United States citizenship clause ("I am a citizen of the United States and owe my allegiance thereto"). The statutory oath was recodified as part of the 1933 State Bar Act, RCW 2.48.210, and eventually repealed by the legislature in 2023, having been superseded by court rule and identified by judicial officers as a "defect" or "omission."

¹ The research underlying this summary is based in part on an August 2025 legal research memo prepared by a law student intern with the Office of Disciplinary Counsel and in part on research shared with the Task Force staff liaisons by David Ward, Principal Legal Analyst at the Administrative Office of the Courts.

The Oath of Attorney was eventually adopted by the Supreme Court as a court rule in 1954 as part of the Rules for Admission to Practice Law in a form strikingly similar to the 1921 legislative Oath. There was one notable change: the 1954 court-rules-based Oath included language stating: "I am not now and never have been a member of any organization or party having for its purpose and object the overthrow of the United States government by force or violence."

In the 1970s, the Supreme Court adopted amendments to the Oath that removed the language declaring citizenship and allegiance, struck the "so help me God" clause, and deleted the declaration about not being a member of an organization or party with a purpose to overthrow the United States government. In the 1980s the Oath was amended to remove gendered language and to substitute "solemnly declare" for "solemnly swear." In 2013 the Oath was amended to make it gender neutral. The Oath for Limited Practice Officers was first adopted in the Regulations of the Limited Practice Board in 1987, and an Oath for Limited License Legal Technicians was adopted in 2012. All three oaths are now found in APR 5.

The 1909 Statutory Oath

Every person before being admitted to practise law in this state shall take and subscribe the following oath:

1. I will support the constitution of the United States and the constitution and laws of the State of Washington;
2. I will maintain the respect due to the courts of justice and judicial officers;
3. I will not counsel or maintain any suit or proceedings which shall appear to be illegal and unjust except such as I believe to be honestly debatable under the law of the land;
4. I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth, and never seek to mislead the judge or jury by any artifice or false statement of fact or law;
5. I will maintain the confidence and preserve inviolate the secrets of my client and will accept no compensation in connection with his business except from him or with his knowledge and approval;
6. I will abstain from all offensive personalities and advance no fact prejudicial to the honor or reputation of a fellow attorney, party or witness unless required by the justice of the cause with which I am charged;
7. I will never reject from any consideration of personal matters the cause of the defenseless or oppressed or delay any man's cause for lucre or malice, so help me God.

The 1954 Rules for Admission to Practice Oath

I do solemnly swear:

I am a citizen of the United States, and owe my allegiance thereto.

I will support the constitution of the United States and the constitution of the State of Washington; I am not now and never have been a member of any organization or party having for its purpose and object the overthrow of the United States government by force or violence;

I will abide by the Canons of the Professional Ethics approved by the Supreme Court of the State of Washington;

I will maintain the respect due to courts of justice and judicial officers;

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust, or any defense except such as I believe to be honestly debatable under the law of the land, unless it be in defense of a person charged with a public offense; I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law;

I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with his business except from him or with his knowledge and approval;

I will abstain from all offensive personality, and advance no fact prejudicial to the honor or reputation of a party or witness unless required by the justice of the cause with which I am charged;

I will never reject, from any consideration personal to myself, the cause with which I am charged;

I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay any man's cause for lucre or malice.

So help me God.

The current APR 5(g) Oath of Attorney

I _____ do solemnly declare:

1. I am fully subject to the laws of the State of Washington and the laws of the United States and will abide by the same.

2. I will support the constitution of the State of Washington and the constitution of the United States.

3. I will abide by the Rules of Professional Conduct approved by the Supreme Court of the State of Washington.

4. I will maintain the respect due to the courts of justice and judicial officers.

5. I will not counsel, or maintain any suit, or proceeding, which shall appear to me to be unjust, or any defense except as I believe to be honestly debatable under the law, unless it is in defense of a person charged with a public offense. I will employ for the purpose of maintaining the causes confided to me only those means consistent with truth and honor. I will never seek to mislead the judge or jury by any artifice or false statement.

6. I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with the business of my client unless this compensation is from or with the knowledge and approval of the client or with the approval of the court.

7. I will abstain from all offensive personalities, and advance no fact prejudicial to the honor or reputation of a party or witness unless required by the justice of the cause with which I am charged.

8. I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay unjustly the cause of any person.

C. RECENT EFFORTS TO AMEND THE OATH

There have been two contemporary efforts to amend the Oath of Attorney, both suggested by the Washington State Bar Association, neither of which were adopted by the Supreme Court. In 2001 the Board of Governors suggested revising the oath “to make it more meaningful and contemporary.” And in 2016, as part of an otherwise largely successful effort to coordinate the admissions rules for Washington’s three license types, the WSBA suggested a revised oath “to make the oath applicable to all license types and change the title of the oath from “oath of attorney” to “oath for the practice of law.”

The 2001 Suggested Oath

The judicial officer administering the oath reads as follows:

Do you accept the invitation of the Supreme Court of Washington to practice before the courts of this State, and solemnly promise:

1. that you will uphold the laws and Constitutions of the United States and of the State of Washington and support the principles of constitutional government;
2. that you will support the independence of the judiciary and help sustain its independence by assuring that adequate provision is made for its support;
3. that you will sustain the rule of law and help realize the promise of liberty for all by assuring equal access to justice for all;
4. that you will undertake representation of the oppressed, the defenseless, the disempowered, and the just cause, without regard for considerations personal to yourself, to the end that you make justice manifest and society just;
5. that, as an Officer of the Court, you will maintain the respect due the Court, its officers, staff and all persons appearing before it;
6. that, as a member of this honorable profession, you will abide by the Rules of Professional Conduct, both in letter and spirit, always tell the truth and never intentionally mislead by act or omission;
7. that you will faithfully represent your clients, maintain their confidences and preserve as inviolate their communications, pursuing their just causes by only such means as are consistent with truth and honor;
8. that you will strive at all times to adhere to the highest standards of professional and personal conduct, to advance and improve the justice system, to act in all ways in service to your clients and your community, and by so doing, be proud to be a lawyer and become a source of pride to the profession?

The individual(s) taking the oath will respond: Yes. I will. [Should be repeated after each statement above.]

Do you now, without equivocation, affirm your sincere and solemn commitment to the fulfillment of all of these promises, knowing that by so doing you bring honor to yourself, the greater community, and your profession?

The individual(s) taking the oath will respond: Yes. I do

The 2016 Suggested Oath

OATH FOR THE PRACTICE OF LAW

I, _____, do solemnly declare:

1. I am fully subject to the laws of the State of Washington and the laws of the United States and will abide by the same.
2. I will support the constitution of the State of Washington and the constitution of the United States.
3. I will abide by the Rules of Professional Conduct approved by the Supreme Court of the State of Washington.
4. I will maintain the respect due to the courts of justice and judicial officers.
5. If there are limitations on my license to practice law, I will confine my activities to those permitted pursuant to my license to practice law and will faithfully disclose any limitations on my services.
6. I will not counsel, or maintain any suit, or proceeding, which shall appear to me to be unjust, or any defense except as I believe to be honestly debatable under the law, unless it is in defense of a person charged with a public offense. I will employ for the purpose of maintaining the causes confided to me only those means consistent with truth and honor. I will never seek to mislead the judge or jury by any artifice or false statement.
7. I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with the business of my client unless this compensation is from or with the knowledge and approval of the client or with the approval of the court.
8. I will abstain from all offensive personalities, and advance no fact prejudicial to the honor or reputation of a party or witness unless required by the justice of the cause with which I am charged.
9. I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay unjustly the cause of any person.